

PART 51

USE OF GOVERNMENT SOURCES BY CONTRACTORS

☞ Nonprofit agencies for the blind or severely disabled may use Government supply sources in performing contracts under the Javits-Wagner-O'Day Act, if:

- The nonprofit agency requesting use of the supplies and services is providing a commodity or service to the Federal Government, and
- The supplies or services received are directly used in making or providing a commodity or service approved by the Committee for Purchase From People Who Are Blind or Severely Disabled to the Federal Government (FAC 90-31, 94-701).

51.101 Policy.

<i>FAR as of FAC 90-25</i>	<i>FAR as revised</i>
<p>(a) If it is in the Government's interest, and if supplies or services required in the performance of a Government contract are available from Government supply sources, contracting officers may authorize contractors to use these sources in performing—</p> <p>(1) Government cost-reimbursement contracts;</p> <p>or</p> <p>(2) Other types of negotiated contracts when the agency determines that a substantial dollar portion of the contractor's contracts are of a Government cost-reimbursement nature.</p>	<p>(a) If it is in the Government's interest, and if supplies or services required in the performance of a Government contract are available from Government supply sources, contracting officers may authorize contractors to use these sources in performing—</p> <p>(1) Government cost-reimbursement contracts;</p> <p>(2) Other types of negotiated contracts when the agency determines that a substantial dollar portion of the contractor's contracts are of a Government cost-reimbursement nature; or</p> <p>(3) A contract under the Javits-Wagner-O'Day Act (41 U.S.C. 46 et seq.) if:</p> <p>(i) the nonprofit agency requesting use of the supplies and services is providing a commodity or service to the Federal Government, and</p> <p>(ii) the supplies or services received are directly used in making or providing a commodity or service approved by the Committee for Purchase From People Who Are Blind or Severely Disabled to the Federal Government (See Subpart 8.7).</p>

51.102 Authorization to use Government supply sources.

(a) Before issuing an authorization to a contractor to use Government supply sources, the contracting officer shall place in the contract file a written finding supporting issuance of the authorization. The determination shall be based on, but not limited to, considerations of the following factors:

- (1) The administrative cost of placing orders with Government supply sources and the program impact of delay factors, if any.
- (2) The lower cost of items available through Government supply sources.
- (3) Suitability of items available through Government supply sources.
- (4) Delivery factors such as cost and time.
- (5) Recommendations of the contractor.

(a) Before issuing an authorization to a contractor to use Government supply sources, the contracting officer shall place in the contract file a written finding supporting issuance of the authorization. **Except for findings under 51.101(a)(3)**, the determination shall be based on, but not limited to, considerations of the following factors:

- (1) The administrative cost of placing orders with Government supply sources and the program impact of delay factors, if any.
- (2) The lower cost of items available through Government supply sources.
- (3) Suitability of items available through Government supply sources.
- (4) Delivery factors such as cost and time.
- (5) Recommendations of the contractor

